



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

19 JAN 2006

Millen, White, Zelano & Branigan, P.C.
Arlington Courthouse Plaza I
2200 Clarendon Blvd., Suite 1400
Arlington, VA 22201

In re Application of KOEHLER et al
U.S. Application No.: 10/527,818
PCT Application No.: PCT/EP02/10300
Int. Filing Date: 13 September 2002
Priority Date Claimed: (none)
Attorney Docket No.: MERCK-2983
For: OXYGEN-CONTAINING
ORGANOALUMINIUM COMPLEXES
AS COCATALYSTS

COMMUNICATION

This is in response to the correspondence filed 18 October 2005.

BACKGROUND

On 13 September 2002, applicant filed international application PCT/EP02/10300. A copy of the international application was communicated to the USPTO from the International Bureau on 22 April 2004. The thirty-month period for paying the basic national fee in the United States expired on 14 March 2005 (12 March 2005 was a Saturday).

On 14 March 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and an executed declaration.

On 09 August 2005, this Office mailed a communication which indicated that the declaration filed 14 March 2005 was improper.

On 18 August 2005, the DO/EO/US mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905).

On 18 October 2005, applicant filed executed declarations.

DISCUSSION

The declarations filed 18 October 2005 are improper. Specifically, each declaration fails to list all of the inventors as required by 37 CFR 1.497(a)(3).

CONCLUSION

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Defective Response (Form PCT/DO/EO/916).



Bryan Tung
PCT Legal Examiner
PCT Legal Office

Telephone: 571-272-3303
Facsimile: 571-273-0459